

**MINUTES OF THE  
TOWN COUNCIL  
MEETING OF  
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, August 11, 2016 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 4:05 p.m.

Town Council Members present:

John Spuhler, Mayor  
Pat Argyle  
Chuck Stocking  
Darin Pugmire  
Jennifer Huefner

Others Present:

Kathy Hislop  
Bob Peterson  
Riley Argyle  
George Peart  
Anita Weston  
Nadine Sprouse  
Analisa Wilson  
Ben Hathoway  
Kandi Eborn  
Nancy Hansen  
Joey Stocking  
Zan Murray  
John Crandall  
Norm Mecham  
Hassee Gifford

**PRAYER AND PLEDGE**

The Pledge of Allegiance was led by Mayor Spuhler and Ms. Annalisa Wilson offered the prayer.

**APPOINTMENT OF NEW COUNCIL MEMBER**

Mayor Spuhler explained that Ms. Jennifer Huefner completed the Declaration of Candidacy for the open Council seat left by Mr. Bruce Warner.

Council Member Pugmire made the motion to appoint Jennifer Huefner as the new Council Member. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

### **OATH OF OFFICE**

The Oath of Office was administered to Council Member Huefner.

### **ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Argyle, Council Member Stocking, Council Member Huefner and Council Member Pugmire.

### **EXECUTIVE SESSION TO DISCUSS LITIGATION**

Mayor Spuhler explained that Mr. Ben Hathoway is here to discuss the lawsuit with Shore Lodge Estates and our options moving forward.

Council Member Argyle made the motion to go into executive session on August 11, 2016 at 4:10 to discuss the Shore Lodge litigation. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Minutes of the Executive Session will be kept on separate record.

There being no further business to discuss regarding this matter, Council Member Huefner made the motion to exit the executive session at 5:36 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Huefner, for; Mayor Spuhler, for. Motion carried.

### **APPROVAL OF MINUTES**

#### **Minutes of the Town Council Meeting held on July 13, 2016**

Council Member Pugmire made the motion to approve the minutes of the regular Town Council meeting held on July 13, 2016 as written. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

#### Minutes of the Public Hearing of the Town Council held on July 19, 2016

Council Member Huefner made the motion to approve the minutes of the Public Hearing for the Town of Garden City, dated Tuesday, July 19, 2016. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

#### Minutes of the Public Hearing of the Town Council held on July 26, 2016

Council Member Stocking made the motion to approve the minutes of the Public Hearing on July 26, 2016. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

#### Minutes of the special meeting of the Town Council held on August 2, 2016

Council Member Huefner made the motion to approve the minutes of the special meeting, dated August 2, 2016. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

#### Minutes of the executive session of the Town Council held on August 2, 2016

Council Member Stocking made the motion to approve the minutes of the executive session, dated August 2, 2016. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

#### **BUSINESS LICENSE DISCUSSION/APPROVAL**

Top Coat nails, request to conduct a nail service with retail service at 585 N Bear Lake Blvd. Aftyn Reese

There were no issues with this business license request.

Council Member Argyle made the motion to approve the business license for Top Coat nails. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

#### **SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL**

605 Dee Drive, Jakota J. Walters, Owner and renter

This short term rental is privately owned and privately rented.

Council Member Argyle made the motion to approve the short term rental at 605 W. Dee Drive for Jakota J. Walters. Council Member Pugmire seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

620 S Stump Hollow Rd. Christopher Olsen, Owner and renter

This short term rental is privately owned and privately rented.

Council Member Argyle made the motion to approve the short term rental at 620 S Stump Hollow Rd for Christopher Olsen. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

**COVENANT TO RUN WITH THE LAND**

Request to encumber parcels 41-33-27-063, 41-33-27-012 and 41-33-27-013 of Real Beach Subdivision. Request to encumber properties to build over lot lines. Everett Benton

Council Member Argyle asked about the encumbrance. The property owner wants to build a house on it. She asked if it would meet the requirements for building. Mr. Peart said that the property owner has applied for a variance for the setback.

Council Member Pugmire made the motion to approve the Covenant to Run with the Land for Everett Benton, parcels 41-33-27-063, 41-33-27-012, and 41-33-27-013 of the Real Beach Subdivision. Council Member Argyle seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

**PUBLIC COMMENTS**

Ms. Kandi Eborn said that Raspberry Days went really well. She explained that there are a couple committee members whos terms are up and won't be returning. Other than those couple people the committee members will be back next year. Mayor Spuhler said that he felt that everything went smooth.

Mr. Peterson said that he liked where the handicap parking was moved. It helped.

Council Member Pugmire asked about the contract that is signed stating what can be sold at the craft fair. Ms. Eborn said that whatever they put on their application is all that they can sell. The chairman monitors what the vendors can sell. Council Member Pugmire said that he saw brand name items and he thought it was a craft fair. He asked what the board can do moving forward on what is sold. Ms. Eborn said that she will keep more of an eye on making sure that there are more of just homemade crafts.

Mayor Spuhler said thank you to the Raspberry Days Committee for all that they do. He explained that next year we will raise the booth fee and not charge the \$1 entrance fee. The committee will meet next week.

Council Member Pugmire said that we need to set a goal date of when we can move the craft fair to Heritage Park. We need to make it flow and make it better every year.

### **RESOLUTION DISCUSSION/APPROVAL**

Resolution #R16-04, A resolution providing for the holding of a Bond Election in the Town of Garden City, Utah for the purpose of submitting to the qualified electors of the Town the question of the issuance and sale of \$6,300,000 General Obligation Bonds; providing for the holding of a public hearing and the publication of a Notice of Public Hearing; declaring official intent with respect to certain expenditures; and providing for related matters.

This resolution is to allow the voters to determine if they want to move forward on the rec center. Approval of this resolution would put the bond for the rec center on the ballot in November.

Council Member Pugmire asked how much more time and money would go into the process to get this to the voters. Mr. Peterson said it would require him 10-15 more hours until the election. We have already paid the Bond Attorney \$5,000 to get this to the election. Mr. John Crandall explained that there may be some additional cost associated with the notices that are required.

Mr. Crandall said that the Town Council is prohibited to spend any additional city funds to advocate for the rec center. As an individual the Council can advocate, but the city must remain neutral.

Mayor Spuhler said that the average increase will be about \$158 per year per residence.

Mayor Spuhler read the description for Resolution #R16-04, A resolution providing for the holding of a Bond Election in the Town of Garden City, Utah for the purpose of submitting to the qualified electors of the Town the question of the issuance and sale of \$6,300,000 General Obligation Bonds; providing for the holding of a public hearing and the publication of a Notice of Public Hearing; declaring official intent with respect to certain expenditures; and providing for related matters.

Council Member Stocking made the motion to move forward with Resolution #R16-04 to hold a bond election for a rec center. Council Member Huefner seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, Nay; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

Mr. Norm Mecham said that he feels the public hearing would be a good way to get the input from the community. In general it will help the people see an additional reason to become a homeowner in garden city. When we get growth it changes the numbers.

## **ELK'S RIDGE WATER SYSTEM EASEMENT AND PROPERTY AGREEMENT**

### **DISCUSSION/APPROVAL**

Mr. Murray explained that he spoke with Mr. Anderson, the Engineer for Elk's Ridge, and he has the agreement out for review to the property owners. Mr. Anderson said that he felt it will be a couple weeks to get all the final signatures.

Mr. Murray explained that the federal government operates on their fiscal year from October 1 – Sept 30. In September they pull all their money back to the federal level, this includes funding for the USDA. In October they re-allocate the funding back to the states. Mr. Murray said that he should have the application ready in December when the funding would be ready at the State level. He said that will affect the agreement with Mr. Mecham.

Mr. Murray anticipated getting the design done this winter so it can be bid out next spring. He would like to get the survey done now so he can get it included in the design. The survey work can be included in with the funding.

There is a grant money that will be approximately 40%. The loan will be a 40 year loan at about 2.5%. There shouldn't be any additional increase in the water rates because we have anticipated for that in the prior rate increase.

USDA is basically built for rural communities. It is very beneficial for small communities to get the grants that are necessary. We have to follow their requirements to apply for the grants.

Council Member Pugmire said that he wants to get the agreement with Elk's Ridge signed and done before letting JUB start on the survey. The Council agreed.

### **MISCELLANEOUS ITEMS**

Council Member Pugmire said that he voted nay to the rec center because there isn't any room for expansion at the location it is proposed. He would like to have it at a different location for the future of it.

Council Member Argyle said that the agreement for the property in Buttercup where the garbage is, required us to provide trees. There is a small strip behind the cement wall. She suggested that we give up the little strip in exchange for the trees. No one will maintain the property and it is a small strip. The Council agreed to offer the strip to the adjacent property owner.

Council Member Pugmire said that he had a person ask him about the buying some property above Snowmeadows. There are roads proposed through the property. Council Member Pugmire told him to go to an AEG meeting or talk with the Planning Commission so he knows the plan for the roads.

Mr. Bob Peterson reported that he received 17 calls over the Raspberry Days weekend. 7 were on Shore Lodge, 2 on short term rental parking, 2 camping calls, 1 sign, 1 shuttle info. 1 for a car

parked in our parking lot, 1 for people riding up and down the beach and 1 parked on 150 south parking lot.

Mr. Peterson said that he will have a report ready for next month based on the whole summer.

## **COUNCIL MEMBER REPORTS**

### **Mayor Spuhler**

Mayor Spuhler said that we will discuss the transient business ordinance during the September Council meeting. There is a lot to consider with transient businesses. The Planning Commission will also discuss it and give recommendations to the Town Council.

Mayor Spuhler said that he is going to look at the jobs and see what works best with each Council Member before handing out new jobs for the Council.

### **Council Member Huefner**

Council Member Huefner said that the Buttercup HOA has voted to dissolve the HOA but the legal aspect hasn't been completed.

Council Member Huefner said that we need to promote the area during the winter.

### **Council Member Pugmire**

Council Member Pugmire said that we are still set on the meeting for the STIP, but we don't have to worry about that until Sept 2017.

### **Council Member Stocking**

The Library Board would like to replace Ms. Kathrine Warner, who has left the community, with Ms. Debbie Forakis. Mayor Spuhler said that is ok even though she is outside the city limits.

## **PAYMENT VOUCHERS**

Council Member Pugmire made the motion to pay the vouchers. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Argyle, for; Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

## **ADJOURNMENT**

There being no further business to discuss Council Member Pugmire made the motion to adjourn the meeting at 7:10 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Argyle, for; Council Member Pugmire, for; Council Member Stocking, for; Mayor Spuhler, for. Motion carried.

APPROVED:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk